

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VNUS MEDICAL TECHNOLOGIES, INC.

No. C-05-2972 MMC

Plaintiff

v.

**ORDER VACATING HEARING ON
PLAINTIFF'S MOTION FOR ISSUANCE
OF LETTER OF REQUEST; SETTING
BRIEFING SCHEDULE**

DIOMED HOLDINGS, INC., et al.,

Defendant

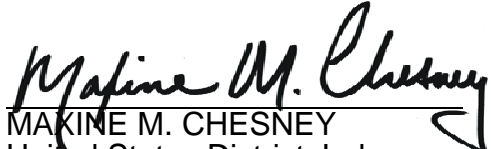
Before the Court is plaintiff's "Motion for Issuance of a Letter of Request for International Assistance Pursuant to the Hague Convention of March 18, 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters," filed February 2, 2007.

Although plaintiff noticed the motion for hearing on February 9, 2007, plaintiff has not moved for an order shortening time. See Civil L.R. 6-3, 7-2. Accordingly, the February 9, 2007 hearing is hereby VACATED. In light of the non-expert discovery cutoff of April 13, 2007, however, the Court sets the following briefing schedule:

1. Opposition, if any, shall be filed no later than February 14, 2007.
2. Any reply shall be filed no later than February 16, 2007.
2. As of February 16, 2007, the matter will stand submitted.

IT IS SO ORDERED.

Dated: February 8, 2007


MAKINE M. CHESNEY
United States District Judge